FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

SUPREME COURT APPEAL DUE

Novel in Montreal, Return To New Orleans Prepared

By JACK DEMPSEY

Gordon Novel, who is wanted by Dist. Atty. Jim Garrison as a material witness in the Kennedy assassination investigation, is in Montreal, Canada, the States-Item learned today.

A responsible source said preparations are under way to bring him back.

But in Montreal, spokesmen for the city police and Royal Canadian Mounted Police said nothing is known about Novel being there. They said neither force had been notified from the United States of any request for Novel's arrest.

Meantime, Novel's attorney, Steve Plotkin, plans to ask the State Supreme Court today to throw out the arrest warrant issued for Novel.

YESTERDAY, A MOTION to dismiss the warrant was denied by Criminal District Judge Edward A. Haggerty Jr. Judge Haggerty continued Novel's bond at $50,000, but said that if Novel returns to the jurisdiction of the court, he will reduce the bond or release him on his own word.

Also today, an attorney for Dean Andrews moved to dis-

Andrews be allowed to leave the court's jurisdiction. He said Andrews, also an attorney, had to go to Washington to file a motion before the U.S. Supreme Court in an unrelated case.

There was no objection from Asst. Dist. Atty. James L. Alcock, and the request was granted with the understanding that Andrews would leave tonight and return tomorrow night.

Zelden argued in his motion that the perjury indictment, returned March 16, did not comply with the perjury section of the state's new code of criminal procedure.

Andrews was indicted after twice testifying before the grand jury in connection with the Kennedy investigation. The specific nature of the alleged perjury has not been disclosed.

ANDREWS TOLD THE Warren Commission that a "Clay Bertrand" asked him to defend Lee Harvey Oswald after Kennedy was slain. Garrison claims Bertrand is an alias for Clay L. Shaw, charged with criminal conspiracy in the President's death.

Andrews says he does not know whether Shaw and Bertrand are the same, although he testified that he saw Bertrand on two occasions.

In other developments yesterday in the district attorney's expanding investigation, Layton Martens, who was a roommate of David W. Ferrie in 1963 when a New Orleans-based conspiracy to murder President John F. Kennedy is alleged to have been hatched here, appeared before a grand jury investigating the plot.

Martens, 24, was closeted with the jury and Garrison for 90 minutes.

He said before entering the grand jury room that he personally is under no suspicion of any criminal activity.

MARTENS was accompanied to the Criminal Courts building by his attorney, Milton Brener.

Martens issued the following statement to newsmen before he entered the grand jury room:

"I am here in response to a subpena to appear before the grand jury. I am cooperating now as I have consistently cooperated in the past.

"In my presence, my attorney was advised by the district attorney's office that I am not suspected of any criminal activity whatever. As far as we have been informed, the DA is interested only in my knowledge of certain individuals in the case.

"ON THE ADVICE of my attorney, however, at the present time I will make no public statement about the matter under investigation by the district attorney's office."

Martens was a roommate of Ferrie at the latter's apartment at 3339 Louisiana ave. pkwy. during the fall of 1963.

Perry Raymond Russo, who has been Garrison's chief witness to date, claims that it was at that apartment in mid-September 1963 that Ferrie, Lee Harvey Oswald and Shaw plotted to murder President Kennedy.

Ferrie died Feb. 22. Oswald, who was named by the Warren Commission as the lone killer, was himself shot to death on Nov. 24, 1963, in Dallas by Jack Ruby.

SHAW, FORMER managing director of the International Trade Mart, was arrested March 1 for participating in the alleged conspiracy.

A four-day preliminary hearing for Shaw ended in his being bound over for trial.

In Omaha yesterday, Mrs. Lillie Mae McMaines decided not to agree immediately to return to New Orleans to answer Garrison's questions.

(Indicate page, name of newspaper, city and state.)

Page 1

New Orleans States-Item

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Mrs. McMaines, who was known in New Orleans as Sandra Moffet, is also wanted as a material witness. A warrant for her arrest was issued here and forwarded to Omaha authorities. She was released on $1,000 bond. Russo testified that he took Sandra Moffet to the party at which he claims a plot was hatched to kill the President.

She says she knew Russo but did not go to the party and never knew Ferrie until 1965.

WHEN SHE WAS taken into custody in Omaha earlier this week, a hearing on her extradition was set for April 25. Omaha officials have indicated, however, that Mrs. McMaines will come to New Orleans to appear before the grand jury voluntarily.

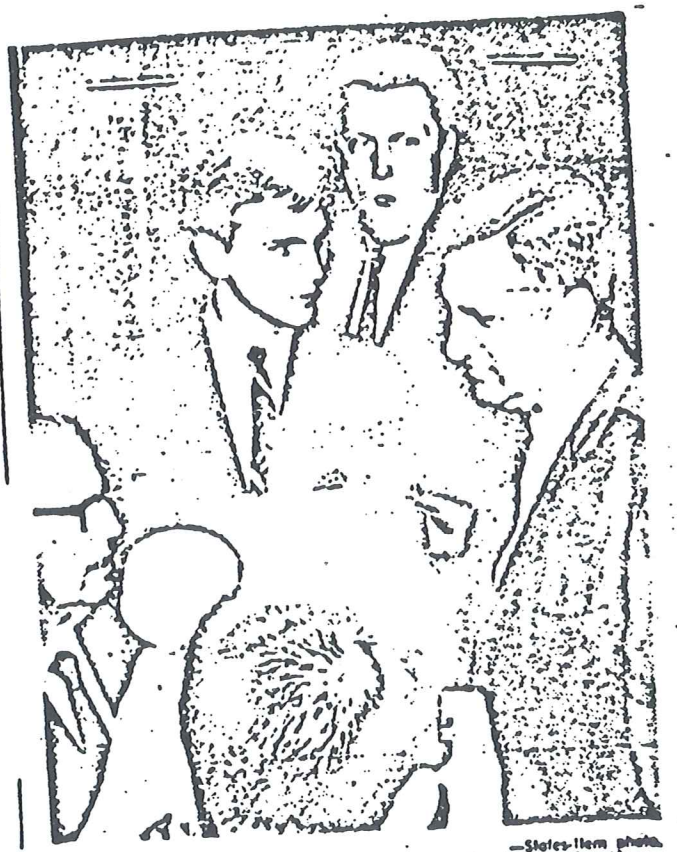
Novel, who until recently owned a lively French Quarter nightclub, disappeared while under subpena to appear before the grand jury.

Since then he has been reported in Columbus, Ohio; Chicago; McLean, Va., and Washington, D.C.

He has, in telephone interviews with the States-Item, criticized the Garrison investigation as a "fraud."

The States-Item was told today by a reliable source that Novel was going to be returned to New Orleans from Montreal.

The source declined to say what specific arrangements are being made to get Novel back.



—States-Item photo

LAYTON MARTENS, a witness in the investigation of the Kennedy assassination, emerges from the Orleans Parish Grand Jury room accompanied by members of District Attorney Jim Garrison's staff after a 90-minute session yesterday.